

**Minutes of the Carlisle Board of Health
March 25, 2008**

Present: Board Members Jeffrey Brem (Chairman), Bill Risso, Chris Deignan; Leslie Cahill; Michael Holland; also present: Linda Fantasia (Agent), Rob Frado (TCG)

The meeting was called to order at 7:30 p.m. at the town hall. Holland had not yet arrived.

500 WEST STREET – Lloyd Burke, owner appeared before the Board asking for an emergency permit to install a new tank and pump chamber on his property. The existing tank is cracked and fills with groundwater. The tank must be pumped every few days. The new tank would be used as a tight tank until the failed system is replaced. Brem had approved an Emergency Permit that was issued on 3/18/08. The Board needs to ratify the permit. The location of the tanks is within the 100' buffer zone. The Conservation Commission issued an Emergency Order for the work. Waivers may not be needed if the Board votes the revised regulations on 4/8/08. Frado is reviewing the system design.

It was moved (Risso) and seconded (Deignan) to approve the issuance of an Emergency Permit to allow the replacement of a failed tank and pump chamber at 500 West Street and for the tank to be used as a tight tank until the system can be replaced. Vote: 4-0-0. Motion passed.

328CONCORD STREET – Deck footings. The owner Ted Mark, who was not present, submitted a plan to locate a deck off the rear of the new garage. Footings for the deck will be less than the required 10' to the tank and pump chamber. The Board agreed to approve the deck with the conditions that the tanks be staked and roped off with orange tape, holes for the footings closest to the tank and/or pump chamber must be hand dug, no heavy equipment is allowed over the tanks, and no stockpiling of material over the tanks.

It was moved (Risso) and seconded (Deignan) to approve the location of the footings for the deck off the garage at 328 Concord Street with conditions as noted. Vote: 4-0-0. Motion passed.

101PAGE BROOK ROAD – Tenant complaint. The Board received a letter from the tenant at the property listing a number of possible health issues. Previously the tenant (Tracy Sands) had contacted the office about poor water quality. This was addressed with the appropriate information. The new items cover a number of maintenance issues. The Board reviewed the list and agreed that many of the items fall under the building and/ plumbing code and should be checked out by a plumber or an electrician. There was no documented evidence that there is a mold problem in the house. The Board agreed to respond as follows:

- Item #1 Septic Capacity – The existing septic capacity would be grandfathered and not required to meet current code. If drains are not working, they should be checked by a licensed plumber.
- Item #2 Water Quality – It was recommended that the water be tested in a previous email.
- Item #3 Water Filter – check with a licensed plumber or filtration contractor on how to correct.
- Item #4 Electrical/Wiring Issues – this should be checked by a licensed electrician.
- Item # 5 Plumbing Issues – Plumbing Code issues should be checked by a licensed plumber.
- Item #6 Closet Lighting – Board does not know of any requirement for this.
- Item #7 Leaking windows – check with a licensed carpenter on possible repairs.
- Item #8 Children's allergies – Board would need documentation from a certified inspector on whether there is an indoor air quality problem.

40B WORKING GROUP REQUEST – A draft of the proposed changes to the ZBA 40B Application regulations was distributed to land use boards. Comments are requested by 3/31/08, although departments can request an extension. Brem had also received a 16-page draft memo from the Planning Board. Due to the number of drafts presented, the Board agreed to request an extension until their next meeting on 4/8/08. The Board will invite Ed Rolfe (ZBA and 40BWG) to the meeting to discuss the changes. Risso noted that the Board has already addressed many of the health issues noted in the summary with its revised septic regulations. (Holland arrived).

PH LOTS 11B-1 (#268) AND 11B-2 FISKE STREET – Request for waivers for location of septic tank and pump chamber within 100’ of wetlands and existing well within 25’ of the new lot line.

It was moved (Deignan) and seconded (Risso) to open the public hearing. Vote: 5-0-0. Present for the hearing was George Dimikarakos of Stamski & McNary Inc.(SMI), John Ballantine, owner, Robert Bethel and Julie Durrell (251 Fiske St), Charles Bradley (296 Fiske St). Abutter notification cards were submitted.

Ballantine explained that two plans had previously been presented to the Board. The first located the tank and pump chamber closer to the house, but within the buffer zone. The second kept the tanks out of the buffer zone but required a grinder pump. SMI did not like the grinder plan. Since the Board is in the process of revising its regulations, the first plan may no longer need a waiver.

Dimikarakos agreed that there was not possible to keep the tanks out of the buffer zone without using a grinder pump prior to the tank and d-box. He thinks this can harm the leaching area. The proposed design places the tank 86’ from BVW. It does require a 650 forced main, but this should not be a problem.

Ballantine said the parcel is being broken into two lots. The parcel is limited due to the Tenneco Gas Easement, which prohibits underground infrastructures, and above ground structures, wetlands, and conservation restrictions, which were placed on a large portion of the land area. This leaves only a small building envelope for the new lot and involves relocating a portion of the forced main for the existing house to keep the line within the new lot boundaries. The waivers involved would be 47’ for the tank and 86’ for the pump chamber to wetlands (100’ currently required). The well for the existing house will only be 4.0’ from the new property line (25’ required), but overall will have a protected area of 25’ due to the restrictions.

Frado said he would need to review the plan relocating the forced main. Frado’s design review of the new system noted that the d-box is 99’ from wetlands. He would suggest making this 100’ since a d-box is not a watertight structure. He would also require proof of recording for all easements noted on the plan. There were some other minor plan deficiencies noted.

Dimikarakos said both plans are currently before the Planning Board and Conservation Commission (ConsCom). Ballantine said that ConsCom might recommend relocation the common driveway outside the buffer zone. The property has just been flagged. The ANR was filed with Planning last year. The Board said it would want to see the plan again if ConsCom make any changes. Ballantine said the abutter across the street at 251 Fiske Street would like the leaching area moved farther back from the property line. Their house is close to their property line. Ballantine noted that this would place the leaching area less than 100’ from wetlands.

Durrell explained that her house is only 28’ from the road. She is concerned about odors, loss of trees, and a visible mound directly across from her house. She would like reassurance that there will be no impact on her well, which is not shown on the plan and that are no alternative locations for the leaching field. The Board agreed that her well should have been located on the plan. Durrell gave permission for SMI to access her property to locate the well. The Board agreed that it appears the system could only be moved 10-12’ which is very little benefit for granting a waiver. It might be possible to require an I/A system to keep it lower into the ground. Dimikarakos said the mound is only 2.0’ above existing grade on the street side. It drops off about 8.0’ on the other side. Trees on the roadside of the wall will remain.

Bradley who had attended the meeting said ConsCom called it an “aggressive” plan. A once pristine area is now being developed and he would like reassurance that work meets all the local and state laws. He has walked the area and is surprised that a three-bedroom house plus detached garage will fit. It is visually very tight between the two wetlands. The Board reiterated that any changes to the wetland line would require resubmitting the plan to the Board.

Cahill asked about the proximity of the forced main to the well. Dimikarakos said title 5 requires 10’ between a forced main and water line. The Board discussed construction and specifications and whether it would be appropriate to encase the line in concrete. Holland said concrete encasement can be

counterproductive. If the concrete deteriorates, it can cause cracks in the line. The Board agreed that the forced main should be double sleeved within 25' distance in each direction from the well. Dimikarakos was concerned that the smaller pipe might move inside the larger sleeved pipe, and cause chafing. Sand can be added or spacers. The Board did not feel it was necessary to pressure test the line. Frado will inspect the installation of the line. The Board will also require a clean out along the forced main located at least 100' from the well. The Board agreed that Frado could review the revised plans. The applicant does not need to return to the Board.

Ballantine asked to have the vote tabled until the Board made a decision on its revised regulations.

It was moved (Cahill) and seconded (Deignan) to table Lot 11B-2 until later in the evening. Motion passed 5-0-0

LOT 11B-1 –request for local waiver on existing well location. The Board made the following findings:

- Existing well will have no impact on abutting properties which provides additional protection
- There is no alternative location and no benefit to relocating the well
- The lot area has a limited building ellipse.

It was moved (Holland) and seconded (Deignan) to grant a waiver from the Town of Carlisle Water Supply Regulations for the location of the existing well at 268 Fiske St (Lot 11 B-1) 4.0' from the new property line, 25' required. Vote: 5-0-0. Motion passed.

LOT 4A-1CROSS STREET – Accessory apartment.

It was moved (Cahill) and seconded (Risso) to open the public hearing. Motion passed 5-0-0. Present for the hearing was George Dimikarakos, SMI.

Dimikarakos explained that the owners plan is applying to the Planning Board for an Accessory Apartment Special Permit. There will be thirteen rooms in the house. A 13-room single family requires a six-bedroom system. The current design is for five bedrooms. Dimikarakos proposed counting the use as a multi-family so the total number of bedrooms equals five. Frado questioned the room count in the main house, which would have to be considered. The Board agreed that this would not work.

Dimikarakos said that since the five-bedroom design includes a garbage grinder, the total GPD is 825 and more than enough for a six bedroom house under the proposed design flows for the local regulations. The Board noted that under the current regulations, an accessory apartment requires a garbage grinder allowance. This will be changed in the revised regulation. The Board reviewed the floor plans and agreed that the main house and apartment require a six-bedroom system. The design flow capacity is in keeping with the proposed regulation changes. A garbage grinder deed restriction will be required.

It was moved (Deignan) and seconded (Risso) to approve the application before the Planning Board for an accessory apartment at Lot 4A-1 Cross Street. Vote: 5-0-0. Motion passed.

It was moved (Holland) and seconded (Deignan) to issue a garbage grinder deed restriction for Lot 4A-1 Cross Street prohibiting the installation of a garbage grinder and in order to keep the total design flow capacity in compliance with the flow rates of the local regulations to be revised 3/25/08. Vote: 5-0-0. Motion passed.

It was moved (Risso) and seconded (Holland) to close the public hearing. Motion passed 5-0-0.

CARLISLE SEWAGE DISPOSAL SUPPLEMENTARY REGULATIONS – continued deliberations.

The Board reviewed a revised draft and made the following changes. Page 6 – 15.211 Distances – add the following “... applicant must show that a primary system *inclusive of required soil testing* can be installed on the lot ...” Page 5- Risso wanted to distinguish between interior property lines and boundary lines which might affect abutters. The Board agreed to the term “perimeter boundary”. Page 3- the Board agreed it should be up to the Board whether a monitoring well should be kept for future use. The Board had a general discussion on the need for monitoring wells and what they might show. Holland had checked with the State Hydrologist about a failure criteria. There is no written state guideline. What the Board is currently proposing with the Modflow analysis is much more than should be needed. A reasonable evaluation would include a groundwater profile across the leaching area and a suitable analysis to detect mounding. A three dimensional study is not necessary. The state hydrologist would recommend a nitrogen-loading model rather than setting a 5 mg/L limit at the property boundary. Risso said he would have a problem eliminating this requirement. Although a three-dimensional analysis may be very conservative, requiring one is the best means for managing a project. Asking for one during the review process can be problematic. Brem questioned whether requiring it for 2000 GPD was too low a threshold. The Board agreed that it needs to address system between 2000 GPD and 10,000 GPD which require state review. Holland agreed that in the specific example of System C at Coventry Woods, the three dimensional model would be helpful since all of the abutting property was down gradient. As for specific failure criteria, the state recommends best management practices in determining impacts. Brem agreed that as long as the Board makes its judgment based on facts, the denial should stand. The Board agreed to delete the 150 GPD garbage grinder requirement for accessory apartments. Frado asked to add inspection port locations to the as-built requirements.

The Board noted that it had finally reached a consensus on the revisions to the local regulations.

It was moved (Deignan) and seconded (Risso) to close the public hearing. Vote: 5-0-0. Motion passed.

It was moved (Deignan) and seconded (Risso) to accept the revised Town of Carlisle Sewage Disposal Regulations, as amended on 3/25/08. Vote: 5-0-0 Motion passed.

The effective date will be April 4, 2008 since the changes need to be advertised in the local newspaper.

LOT 11B-2 FISKE STREET – continued deliberation. The Board was prepared to vote on the proposed design, which no longer requires waivers on the setback to wetland. The Board agreed that the location of the septic system is limited due to wetlands, conservation restrictions and a Tenneco Gas Easement; there is only a small building envelope available. The following conditions will apply to the permit:

- All items (#1- 6) of the Technical Consulting Group review letter dated 3/24/08 must be addressed and revised plans resubmitted.
- Proof of the ANR recording must be submitted to the Board of Health prior to release of construction permit.
- Property lines within 10’ of the relocated force main and between the leaching area and Fiske Street must be surveyed.
- The location of the well at 251 Fiske must be added to the plan; town’s engineer will verify in the field;
- Any changes to the wetland delineation required by the Conservation Commission must be resubmitted to the Board of Health.
- Building sewer and force main located 25’ in either direction from the well must be double sleeved with spacers and inspected prior to backfilling.
- A clean out must be located at approximately one-half of the distance along the force main but no closer than 100’ to the existing well.
- Evidence of recording of all easements must be submitted prior to issuance of a Certificate of Compliance.

- No less than four six-foot in height white pine trees are to be placed along the property line between the leaching area and Fiske Street.
- The Town's engineering consultant must review and approve the revised plans.

It was moved (Risso) and seconded (Deignan) to approve the proposed sewage disposal design for Lot 11B-2 Fiske Street with conditions noted. Motion passed 5-0-0.

BILLS – It was moved (Risso) and seconded (Holland) to approve the bills as presented. An additional expense of \$40.00 was added to cover the cost of the three generator manuals.

MRC EXECUTIVE COMMITTEE – It was moved (Deignan) and seconded (Holland) to appoint the following to the MRC Executive Committee: Mary deAlderete, Frank deAlderete, Lea Johnson, Linda Lineback John Horvath, Donna Margolies, Kevin Perkins, Marcella Shepherd. Risso and Cahill will be the Board liaisons. Fantasia will help to coordinate. Motion passed 5-0-0.

CORI POLICY - The Board reviewed a draft CORI Policy. It was moved (Risso) and seconded (Deignan) to approve the Carlisle CORI policy for all employees and licensed programs under the Board's authority.

NEIGHBORHOOD NETWORKS – The Board reviewed and approved the organization forms created by MaryKate Martelon. Additional work needs to be done in helping neighborhoods to organize and make use of the contact forms.

SHARPS DISPOSAL – as of July 1 every community needs a disposal program. The state has collection kiosks free but there would be maintenance and disposal costs. The Board will check with Concord and Emerson Hospital on what is available locally.

CONCORD HEALTH DEPARTMENT – The Board is concerned about the 5% annual increase, which is built in. The Board would prefer 2.5%. Fantasia will check with Concord.

COMMUNITY SEPTIC LOAN PROGRAM – Brem prefers Concord's packet, which has a \$75.00 application fee. The Board discussed whether a betterment must be paid off when a property transfers. The Board would prefer to allow a new homeowner assume the betterment. This could be a financial benefit due to the low interest. Brem suggested a 2% interest on the loan. There are only two choices – 2 or 5%. The Board wants to build up the fund, but should not be making a profit. Administrative costs can be built in at 5% and there is the \$20,000 start up fund. The Board agreed to cap the loans at 30-40,000. Fantasia will check with Nihar Mohanty of DEP about offering a "look back" period.

UPCOMING DATES – meetings 4/8/08, 4/22/08, 5/20/08. Hazardous Waste 5/3/08. Health Fair 3/29/08.

There was no further business. Meeting voted to adjourn at 10:00 pm.

Respectfully submitted,

Linda Fantasia
Recorder